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	Facsimile: (415) 703-5480 Attorneys for Complainant	
7 8 9	BEFORE THE BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
10		1 2 902
11	In the Matter of the Accusation Against:	Case No. 2013-907
12	CAROLE J. SCOE aka CAROLE J. SCOE-SACKS	
13	872 Country Club Drive Kingman, AZ 86401	ACCUSATION
14	Registered Nurse License No. 162696 Public Health Nurse Certificate No. 39534	
15 16	Respondent.	
17	Complainant alleges:	
18	PARTIES	
19	1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her	
20	official capacity as the Executive Officer of the Board of Registered Nursing (Board),	
21	Department of Consumer Affairs.	
22	2. On or about May 20, 1965, the Board issued Registered Nurse License Number	
23	162696 to Carole J. Scoe, aka Carole J. Scoe-Sacks (Respondent). The Registered Nurse License	
24	expired on January 31, 2011, and has not been renewed.	
25	3. On or about January 31, 1986, the Board issued Public Health Nurse Certificate	
26	Number 39534 to Respondent. The Public Health Nurse Certificate expired on January 31, 2011,	
27	and has not been renewed.	
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**JURISDICTION** 

- 4. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.
- 5. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 6. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.
- 7. Code section 2811, subdivision (b), provides, in pertinent part, that the Board may renew an expired license at any time within eight years after the expiration.

## STATUTORY PROVISIONS

8. Code section 2761 states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

"…

"(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

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## COST RECOVERY

9. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and

enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

## CAUSE FOR DISCIPLINE

(Unprofessional Conduct-Out of State Discipline)

10. Respondent is subject to disciplinary action under Code section 2761, subdivision, (a)(4), in that on or about May 25, 2011, in a disciplinary action before the Arizona State Board of Nursing in the matter of Registered Nurse License No. RN140100, Respondent's license was issued a Decree of Censure. The disciplinary action was based on the following two incidents. On or about July 21, 2008, Respondent attempted to give an employee a TB test with a used syringe, subsequently failed to report her error or take action to reduce exposure to further harm, and initially denied the error when questioned. On or about June 19, 2009, Respondent left a voicemail message for a co-worker in which she verbally threatened the former CEO of her employer. On or about October 30, 2009, Respondent underwent a psychological evaluation with a Board approved evaluator. The evaluator recommended that Respondent obtain counseling intervention for compulsive personality patterns and concluded that Respondent would benefit from close supervision.

## PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- Revoking or suspending Registered Nurse License Number 162696, issued to Carole
   Scoe, aka Carole J. Scoe-Sacks;
- 2. Revoking or suspending Public Health Nurse Certificate Number 39534, issued to Carole J. Scoe;
- 3. Ordering Carole J. Scoe, aka Carole J. Scoe-Sacks, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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1	4. Taking such other and further action as deemed necessary and proper.	
2	1- R	
3	DATED: APRIL 13, 2013  LOUISE R. BAILEY, M.ED., RN	
4	** Executive Officer	
5	Board of Registered Nursing Department of Consumer Affairs State of California	
6	Complainant	
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